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   Subject: 2012 "Big 6" EIS NEPA Sufficiency Determination

       To: Beth Bischoff, Zone Wildlife Biologist, Shawn Heinert, District Rangeland
                 Management Specialist.

As directed by FSH 1909.15, section 18, a periodic review of the environmental documentation of action awaiting implementation and those of ongoing programs or project should occur when there is new information or changed circumstances that could affect the sufficiency of the analysis and determination. This review should determine if the environmental analysis and documentation should be corrected, supplemented or revised, or if the analysis and documentation remains sufficient and valid and implementation of the decision can be continued unchanged.

Through implementation and discussions with the interdisciplinary team, I have conducted such a review of the analysis and determination for the *Final Environmental Impact Statement for Livestock Grazing and Vegetation Management of 5 Project Areas* (Big 6 FEIS) for the sheep allotments on this Ranger District. I signed the Record of Decision for the sheep and goat allotments in the Beaver Creek project area on July 26, 2011. As part of this review, I have examined the implementation of design criteria #44 and found it to not be effective in its entirety based on the following information.

During the field season of 2011, Forest Service personnel worked with Wyoming Game & Fish biologists and the domestic sheep permittees affected by the Big 6 FEIS to implement design criteria, monitoring, and adaptive management strategies related to domestic sheep/bighorn sheep potential interactions. In July 2011, it was determined that counting as spelled out in Design Criteria #44 was not sufficient to determine if any stray domestic sheep were left behind during trailing along Highway 14A. The original intent of the counting was to identify if there was a significant discrepancy in the count of sheep between entry to forest and entry to the authorized grazing allotment. If there was a discrepancy, it was assumed that sheep may have been left behind on the trailing route and should be looked for immediately. The intent was not to account for a few sheep left behind with the counting. To get the exact same count of sheep numbers is difficult even in a situation with a suitable handling facility, and as Design Criteria 44b. states "….it is understood that a small percentage difference in count (less than 1%) could occur due to unknown death losses or miscounting."

The plan to count sheep at pre-determined locations was well thought out and involved an interdisciplinary team (rangeland management specialists, wildlife biologists, livestock grazing permittee) throughout the process, but the actual counting of sheep did not result in a number that was accurate enough to determine if any domestic sheep were unaccounted for. The sheep tended to bunch in groups and then move through in large, fast moving numbers. A debriefing meeting was held at the Ranger District on August 10, 2011, with Tom Easterly (Wyoming Game & Fish), Beth Bischoff, Bernie Bornong, Larry Dickerson, and me. The group agreed

upon the following as effective strategies which were implemented in July 2011: 1) observer locations were great for bighorn sheep lookouts, but were also effective in looking for straggler/stray domestic sheep, 2) the use of observers and sweepers was very effective in determining if any strays were left behind, 3) if sheep were left behind, we were able to notify the camp-tender or herder who were able to get them, with the exception of one domestic sheep (which may have made it back to the herd on its own or not, therefore this one ewe remained unaccounted for), and 4) counting domestic sheep was ineffective given the two attempts and facilities that were in place and needs to be addressed.

Subsequent monitoring efforts, observations, and implementation of design criteria and adaptive strategies during September 2011 also determined the above methods to be more effective methods of accounting for any stray domestic sheep during trailing. All observations from July and September 2011 are documented in notes filed hard copy in "2210 Monitoring Big 6 Sheep Interaction."

In coordination with the interdisciplinary team, I have come to the conclusion that these methods are more effective in determining if there are stray domestic sheep rather than the use of counting. The monitoring methods implemented in 2011 proved to be very effective at detecting individual stray domestic sheep while trailing along Highway 14A. As a result, I have made the decision that Design Criteria #44 as outlined below does not effectively meet the intent of documenting whether or not stray domestic sheep are left along the trailing route, and Design Criteria #50 will meet the intent.

Design Criteria #44: *Stray domestic sheep shall be removed by the permittee from the trailing route.*

   a. *To minimize the potential for stray sheep associated with trailing, a count of sheep shall be taken immediately prior to entry on Forest, and a subsequent count shall be taken immediately upon entry to the authorized grazing allotment. If sheep are trailed off the Forest, a count of sheep shall be taken immediately prior to trailing from the allotment and a subsequent count shall be taken immediately upon exit of the Forest.*
   b. *Counting locations shall occur where it is conducive to obtaining the most accurate count. In addition, a count of any sheep added or removed during the season (such as weaning, incorporating bucks, etc) and known losses to predation, or other natural causes shall be reported at the end of the season to help determine if stray domestic sheep are left on the trailing route. These counts will provide the most accurate information; however, it is understood that a small percentage difference in count (less than 1%) could occur due to unknown death losses or miscounting. If stray domestic sheep are suspected from the band, the permittee shall immediately notify the Forest Service and will conduct a search for any stray sheep. If Forest Service personnel observe stray domestic or receive information about stray domestic sheep, they will notify the permittee immediately.*

The following Design Criteria will be used in the future to address the concern that stray domestic sheep could not be accurately accounted for near the trailing route along Highway 14A by counting.

Design criteria applicable to domestic sheep trailing along Highway 14A to minimize potential contacts between domestic sheep and the Devils Canyon bighorn sheep herd applies to Antelope Ridge, Bear/Crystal Creek, Beaver Creek, Hunt Mountain, Little Horn, Red Canyon, and Whaley Creek if sheep from any of the allotments are trailed along Highway 14A.

Design Criteria #50: *Stray domestic sheep shall be removed by the permittee from the trailing route.*

   a. *To minimize the potential for stray domestic sheep associated with trailing, visual observations during trailing from canyon rims and/or surveillance points will occur.*

   b. *After trailing of domestic sheep, "sweepers" will travel along trailing route to confirm no stray domestic sheep are left behind.*

   c. *If stray domestic sheep are suspected from the band, the permittee shall immediately notify the Forest Service and will conduct a search for any stray sheep. If Forest Service personnel observe stray domestic or receive information about stray domestic sheep, they will notify the permittee immediately.*

In summary, I have made the decision that using Design Criteria #50 in lieu of Design Criteria #44 will meet the intent of documenting whether or not stray domestic sheep are left along the trailing route. Therefore, my determination is that the analysis and decision for this project remains sufficient and valid and that implementation of the project may continue.

/s/ David Hogen
DAVID HOGEN
District Ranger

cc: Jason Ruybal
Michael R Bower
Laurie Walters-Clark